

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

DIANA PAYNE

PLAINTIFF

v.

Civil No. 04-2189

THE UNIVERSITY OF ARKANSAS  
FORT SMITH BY AND THROUGH THE  
BOARD OF TRUSTEES OF THE  
UNIVERSITY OF ARKANSAS

DEFENDANT

JUDGMENT

For the reasons set forth in an order filed herewith, it is HEREBY ORDERED AND ADJUDGED that Plaintiff Diana Payne, should have and recover of and from Defendant compensatory damages and lost wages and benefits in the total amount of \$161,803.40. In accordance with the report and recommendation, to which there were no objections, it is further ORDERED AND ADJUDGED that Plaintiff's attorney recover attorney's fees and costs in the amounts of \$68,090.25 and \$18,409.63, respectively. This amount shall bear interest from the date of this judgment until paid at the current post-judgment interest rate of 5.03% per annum.

Further, it is ORDERED AND ADJUDGED that Plaintiff is entitled to injunctive relief in the form of reinstatement to her former position as an instructor in Defendant's College of Business teaching Accounting I and II, as well as other appropriate courses, effective August 19, 2006, with pay and

benefits as of such date in the amount she would have been paid had she not been discharged on January 3, 2005. From this date through the conclusion of the Fall 2006 semester, Defendant is not required to place Plaintiff in a classroom setting but may provide Plaintiff with a mutually agreeable special assignment. Commencing with the Spring 2007 semester, Defendant is required to reinstate Plaintiff to a classroom setting as provided herein.

Finally, Defendant is required to remove from its website a report dated November 23, 2004, reporting the finding of plagiarism against Plaintiff and to expunge all documents relating to her termination from her personnel file upon the entry of this order.

**The parties have thirty days from the date of entry of Judgment within which to appeal.**

IT IS SO ORDERED this 8<sup>th</sup> day of September, 2006.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge